

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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JORGE BAZALDUA,

Civil No. 07-2787 (DSD/SRN)

Petitioner,

v.

**ORDER**

ALBERTO GONZALES, DENISE FRAZIER,  
and SCOTT BANIECKE,

Respondents.

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Thomas R. Anderson, III, Robichaud & Anderson PA, 211 Washington Avenue North,  
Minneapolis, Minnesota 55401, for Petitioner

D. Gerald Wilhelm, United States Attorney's Office, 300 South Fourth Street, Suite 600,  
Minneapolis, Minnesota 55415, for Respondents

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The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson. No objections have been filed to that Report and Recommendation in the time period permitted. Accordingly, based on all of the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Petitioner's Application for a Writ of Habeas Corpus under 28 U.S.C. § 2241 (Doc. No. 1) is **DENIED**;
2. Respondents' Motion to Dismiss the Petition (Doc. No. 3) is **DENIED**; and
3. This action is **DISMISSED WITH PREJUDICE**.

Dated: January 25, 2008

s/David S. Doty \_\_\_\_\_  
DAVID S. DOTY  
United States District Court Judge